



Paper No. 11

TED R RITTMASIER
FOLEY & LARDNER
2029 CENTURY PARK EAST
SUITE 3500
LOS ANGELES CA 90067-3021

COPY MAILED**MAY 09 2002****OFFICE OF PETITIONS**

In re Application of :
Scherr, et al. :
Application No. 09/826,323 : DECISION ACCORDING STATUS
Filed: April 4, 2001 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 041892-0209 :

This is in response to the petition pursuant to 37 CFR 1.47(a),
filed January 11, 2002.

The petition under 37 CFR 1.47(a) is **GRANTED**

The above-identified application was filed on April 4, 2001,
without the filing fee or an executed oath or declaration.
Accordingly, on June 4, 2001, the Initial Patent Examination
Division mailed a Notice to File Missing Parts of Nonprovisional
Application. This Notice set a two month period for reply.

In reply, applicant filed the instant petition (and fee) and paid
the filing fee together with the surcharge for late filing of the
declaration. To make timely this reply, applicant obtained a
four month extension of time and included a Certificate of
Mailing dated December 4, 2001. Applicant included a declaration
signed by co-inventors Scott Jeffrey Sherr, Eva Miranda, Ira
Steven Rubenstein, Sean Brennan Carey, Yair Landau, Andrew C.
Frank, Bryan Gentry Spaulding, Seth David Palmer, Bruce Forest,
and Steven Koenig. The declaration lacked signatures from co-
inventors Brian David Lakamp, Charles Jonathan Evans, Everton
Anthony Schnabel, Hartmut Ochs, Jeremy Eli Barnett, Todd Michael
Henderson, and William W. Chong.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof
that the non-signing inventor cannot be reached or refuses to
sign the oath or declaration after having been presented with the
application papers (specification, claims, drawings, oath or
declaration); (2) an acceptable oath or declaration in compliance
with 37 CFR 1.63; (3) the petition fee; and (4) a statement of
the last known address of the non-signing inventors.

On petition, attorney Ted R. Rittmaster included a declaration of
facts in which he detailed the efforts taken to transmit the
application papers to the non-signing inventors. Also included
on petition were, *inter alia*, copies of the cover letters to each
of the non-signing inventors, transmitting the application
papers. According to Rittmaster, no declarations from the non-

signing inventors have been received.

The declaration filed January 11, 2002 and the petition have been reviewed and found to be in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being returned to the Office of Initial Patent Examination for continuation of pre-examination processing.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (703) 305-0272.

Christina T. Donnell for

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
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WILLIAM W CHONG
20 CONFUCIUS PLAZA #18M
NEW YORK NY 10002

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OFFICE OF PETITIONS

In re Application of :
Scherr, et al. :
Application No. 09/826,323 :
Filed: April 4, 2001 :
Title: ONLINE DIGITAL VIDEO SIGNAL :
TRANSFER APPARATUS AND METHOD :

LETTER

Dear Mr. Chong:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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Christina L. Donnell for

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
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Ted R. Rittmaster
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Los Angeles, California 90067-3021



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TODD MICHAEL HENDERSON
2249 VETERAN AVE
LOS ANGELES CA 90064

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OFFICE OF PETITIONS

In re Application of :
Scherr, et al. :
Application No. 09/826,323 :
Filed: April 4, 2001 :
Title: ONLINE DIGITAL VIDEO SIGNAL :
TRANSFER APPARATUS AND METHOD :

LETTER

Dear Mr. Henderson:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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JEREMY E BARNETT
563 VIA DE LA PAZ
PACIFIC PALISADES CA 90272

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In re Application of
Scherr, et al.
Application No. 09/826,323
Filed: April 4, 2001
Title: ONLINE DIGITAL VIDEO SIGNAL
TRANSFER APPARATUS AND METHOD

LETTER

OFFICE OF PETITIONS

Dear Mr. Barnett:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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Christina P. Donnell for

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
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Los Angeles, California 90067-3021



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HARTMUT OCHS
818 PARKMAN AVE
LOS ANGELES CA 90026

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In re Application of
Scherr, et al.
Application No. 09/826,323
Filed: April 4, 2001
Title: ONLINE DIGITAL VIDEO SIGNAL
TRANSFER APPARATUS AND METHOD

LETTER

OFFICE OF PETITIONS

Dear Mr. Ochs:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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Christina L. Donnell

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EVERTON ANTHONY SCHNABEL
428 NORTH LAUREL AVE
LOS ANGELES CA 90048

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OFFICE OF PETITIONS

In re Application of :
Scherr, et al. :
Application No. 09/826,323 :
Filed: April 4, 2001 :
Title: ONLINE DIGITAL VIDEO SIGNAL :
TRANSFER APPARATUS AND METHOD :

LETTER

Dear Mr. Schnabel:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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CHARLES JONATHAN EVANS
55 WEST 14TH ST
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NEW YORK NY 10011

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OFFICE OF PETITIONS

In re Application of :
Scherr, et al. :
Application No. 09/826,323 :
Filed: April 4, 2001 : LETTER
Title: ONLINE DIGITAL VIDEO SIGNAL :
TRANSFER APPARATUS AND METHOD :

Dear Mr. Evans:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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In re Application of :
Scherr, et al. :
Application No. 09/826,323 :
Filed: April 4, 2001 :
Title: ONLINE DIGITAL VIDEO SIGNAL :
TRANSFER APPARATUS AND METHOD :

LETTER

Dear Mr. Lakamp:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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